

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

EGAN PLUMBING, INC.

CASE NO. CV 09 4491 CW (ARB)

Plaintiff(s),

v.

ARROWOOD SURPLUS LINES
INSURANCE COMPANY, et al.

Defendant(s).

STIPULATION AND ~~[PROPOSED]~~
ORDER SELECTING ADR PROCESS

Counsel report that they have met and conferred regarding ADR and have reached the following stipulation pursuant to Civil L.R. 16-8 and ADR L.R. 3-5:

The parties agree to participate in the following ADR process:

Court Processes:

Non-binding Arbitration (ADR L.R. 4)
Early Neutral Evaluation (ENE) (ADR L.R. 5)
Mediation (ADR L.R. 6)

(Note: Parties who believe that an early settlement conference with a Magistrate Judge is appreciably more likely to meet their needs than any other form of ADR, must participate in an ADR phone conference and may not file this form. They must instead file a Notice of Need for ADR Phone Conference. See Civil Local Rule 16-8 and ADR L.R. 3-5)

Private Process:

X Private ADR *(please identify process and provider)* The parties have already engaged in three (3) mediation sessions with Special Master William Nagle in the Underlying Case (San Mateo Superior Court Case No. CIV 460401) and future mediation sessions are planned.

The parties agree to hold the ADR session by:

the presumptive deadline *(The deadline is 90 days from the date of the order referring the case to an ADR process unless otherwise ordered.)*

other requested deadline _____

Dated: 3/15/2010


Attorney for Plaintiff
STEPHEN F. YURCICH

Dated: 03/16/2010

Attorney for Defendant

/s/ Denis F. Shanagher

~~PROPOSED~~ ORDER

Pursuant to the Stipulation above, the captioned matter is hereby referred to:

- ☐ Non-binding Arbitration
- ☐ Early Neutral Evaluation (ENE)
- ☒ ~~Mediation~~
- ☒ Private ADR

Deadline for ADR session

- ☐ 90 days from the date of this order.
- ☒ other Parties continue to mediate with Special Master William Nagle.

IT IS SO ORDERED.

Dated: 3/22/2010



UNITED STATES MAGISTRATE JUDGE
DISTRICT

CERTIFICATE OF SERVICE

Egan Plumbing, Inc. v. Arrowood Surplus Lines Insurance Company f/k/a Royal Surplus
Lines Insurance Company, et al.

U.S.D.C. Northern District Case No. CV 09-4491-CW (ARB)

I am employed in the County of San Diego, State of California. I am over the age of 18 and not a party to the within action; my business address is 11770 Bernardo Plaza Court, Suite 350, San Diego, California, 92128.

On March 16, 2010, I caused the following document(s) described as:

STIPULATION AND [PROPOSED] ORDER SELECTING ADR PROCESS

to be served on the interested parties in this action as follows:

Denis F. Shanagher, Esq. (SBN 100222) Attorneys for Defendant LANDMARK
LUCE, FORWARD, HAMILTON & SCRIPPS, AMERICAN INSURANCE COMPANY
LLP
Rincon Center II, 121 Spear Street, Suite 200
San Francisco, CA 94105-1582
Tel: 415-356-4600
Fax: 415-356-3886
dshanagher@luce.com

☒ BY CM/ECF: I caused such document(s) to be served electronically pursuant to the U.S. District Court's Electronic Case Filing Program to be delivered electronically to those parties who have registered to become an E-Filer.

☐ BY U.S. MAIL: I caused such envelope to be deposited in the mail at San Diego, California. The envelope was mailed with postage thereon fully prepaid. I am readily familiar with this firm's practice of collection and processing of correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid at San Diego, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

☐ by causing personal delivery of the document(s) listed above to the person(s) at the address(es) set forth below.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct and that I am employed in the office of a member of the bar of this Court at whose direction the service was made.

Executed on March 16, 2010, at San Diego, California.



Kris O'Connor